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2683

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
14553

In Re Application No. Hisayoshi Usui

Serial No.
09/839,096

Filing Date
April 20, 2001

Examiner
Kiet T. Le

Group Art Unit
2683

Title: MOBILE TELEPHONE SYSTEM CAPABLE OF EFFICIENTLY UTILIZING GPS INFORMATION
EVEN IF DIRECT RECEPTION BY A MOBILE TELEPHONE APPARATUS IS DIFFICULT

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TO THE COMMISSIONER FOR PATENTS:

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Transmitted herewith is:

Response to Requirement for Restriction

in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
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 - Charge the amount of _____
 - Credit any overpayment.
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Signature

Dated: DECEMBER 11, 2003

Paul J. Esatto, Jr., Reg. No. 30,749
Customer No. 23389

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Paul J. Esatto, Jr.

Typed or Printed Name of Person Mailing Correspondence

cc:



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Han
12/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hisayoshi Usui

Examiner: Kiet T. Le

Serial No: 09/839,096

Art Unit: 2683

Filed: April 20, 2001

Docket: 14553

For: MOBILE TELEPHONE SYSTEM
CAPABLE OF EFFICIENTLY
UTILIZING GPS INFORMATION
EVEN IF DIRECT RECEPTION BY A
MOBILE TELEPHONE APPARATUS
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Dated: Dec. 11, 2003

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO REQUIREMENT FOR RESTRICTION

Sir:

Pursuant to the Restriction Requirement imposed in the Official Action dated November 13, 2003, applicant provisionally elects the claims of Group I, i.e., Claims 1-7, for continued prosecution herein.

Claims 1-15 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. §121. Specifically, the Official Action avers that the following inventions are present in the claims:

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Dated: December 11, 2003

Paul J. Esatto, Jr.

Group I, Claims 1-7, related to using position information from a mobile telephone base station instead of the position data the mobile telephone apparatus;

Group II, Claims 8-12, related to using external position data of an external GPS unit instead of the position data of the mobile telephone apparatus; and

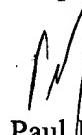
Group III, Claims 13-15 related to using previous data obtained last as the position data of the mobile telephone apparatus.

It is the Examiner's position that the inventions listed as Groups I II, and III are distinct from each other.

In response to the Examiner's requirement for restriction, applicant provisionally elects to prosecute the subject matter of Group I, Claims 1-7. However, applicant reserves the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected claims in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



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